

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF NEW YORK

3 -----
4 UNITED STATES OF AMERICA,

5 -versus-

20-CR-155

6 AUSTIN SUAREZ.
7 -----

8 TRANSCRIPT OF CHANGE OF PLEA

9 held in and for the United States District Court, Northern
10 District of New York, at the Federal Building, 15 Henry
11 Street, Binghamton, New York, on January 11, 2021, before
12 the HON. THOMAS J. McAVOY, Senior United States District
13 Court Judge, PRESIDING, via TEAMS.
14

15 APPEARANCES:

16 FOR THE GOVERNMENT:

17 UNITED STATES ATTORNEY'S OFFICE

18 BY: ALICIA SUAREZ, AUSA

19 Albany, New York
20

21 FOR THE DEFENDANT:

22 GREGORY TERESI, ESQ.

23 Albany, New York
24
25

USA vs Austin Suarez

1 THE CLERK: United States of America versus Austin
2 Suarez, 1:2020-CR-155. Can we please have the appearances
3 for the record.

4 MS. SUAREZ: AUSA Alicia Suarez on behalf of the
5 government. Good morning, your Honor.

6 THE COURT: Morning, Ms. Suarez.

7 MR. TERESI: Gregory Teresi on behalf of Austin
8 Suarez. Morning.

9 THE COURT: Morning, Mr. Teresi; morning,
10 Mr. Suarez.

11 THE DEFENDANT: Morning, sir.

12 THE CLERK: Will the defendant please raise his
13 right hand.

14 (Defendant was duly sworn)

15 THE COURT: Just for clarification purposes, it's
16 purely coincidental that the AUSA is named Suarez as well as
17 the defendant but hopefully, if I refer to one as Mr. Suarez
18 and the other as Ms. Suarez, it will make the record
19 relatively clear for appellate review.

20 All right. As I understand it, Mr. Teresi,
21 your client, Mr. Suarez, wishes to change his plea and enter
22 a plea of guilty to count one of the indictment and admit to
23 the forfeiture allegations contained in that document.

24 Is that your understanding?

25 MR. TERESI: Yes, sir. That's correct.

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1 THE COURT: Ms. Suarez, is that your understanding?

2 MS. SUAREZ: Yes, your Honor.

3 THE COURT: All right. Mr. Suarez, would you state
4 your full name for us, please.

5 THE DEFENDANT: Yes. Austin Suarez.

6 THE COURT: And how old are you?

7 THE DEFENDANT: I'm 25.

8 THE COURT: And what's your date of birth?

9 THE DEFENDANT: 4/11/95.

10 THE COURT: Are you married?

11 THE DEFENDANT: No, sir.

12 THE COURT: Do you have any children?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: How many?

15 THE DEFENDANT: Two.

16 THE COURT: Can you tell me the ages of the
17 children and their gender.

18 THE DEFENDANT: I have a nine-year-old daughter and
19 a four-month-old son.

20 THE COURT: All right. How far did you go in
21 school?

22 THE DEFENDANT: I graduated.

23 THE COURT: High school?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: All right. What kind of work have you

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1 done over the years?

2 THE DEFENDANT: Mostly construction work, sir.

3 THE COURT: All right. Building, road
4 construction, what kind of construction?

5 THE DEFENDANT: Carpentry.

6 THE COURT: All right. Have you had any alcohol or
7 narcotics in the past 48 hours?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: What have you had?

10 THE DEFENDANT: Suboxone, sir.

11 THE COURT: I'm sorry.

12 THE DEFENDANT: Suboxone.

13 THE COURT: Is that in any way affecting your
14 ability to understand the proceeding today or the charge and
15 the consequences?

16 THE DEFENDANT: No, sir.

17 THE COURT: Are you currently or have you recently
18 been under the care of any physician, psychiatrist or other
19 medical care provider for any physical or mental condition?

20 THE DEFENDANT: No, sir.

21 THE COURT: Are you taking any medication at the
22 present time?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Is what you just told me about?

25 THE DEFENDANT: Yes, sir.

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1 THE COURT: All right. Now, did the Court appoint
2 Mr. Teresi to represent you or did you hire him?

3 THE DEFENDANT: He was appointed, sir.

4 THE COURT: Has he shown you a copy of the
5 indictment?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Did he explain the charge in the
8 indictment to you?

9 THE DEFENDANT: Yes.

10 THE COURT: Do you understand that?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: All right. In a few moments I'm going
13 to be asking you some additional questions in order to learn
14 if you're pleading guilty freely and voluntarily with an
15 understanding of the charge and the consequences. I'm going
16 to be asking you if anybody has made any promises of leniency
17 to you to induce you to plead guilty or threatened you with
18 the use of force to induce you to plead guilty. I'm going to
19 asking you to confirm the information you just gave me about
20 your personal history and background and I want to advise
21 you, if your answers are not truthful, they may later be used
22 against you in a prosecution for perjury or for making a
23 false statement.

24 Do you understand that?

25 THE DEFENDANT: Yes, sir.

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1 THE COURT: Before I ask you those questions and
2 before the clerk takes your plea, I have to tell you about
3 certain rights that you have in connection with this matter.
4 First of all, you'd have the right to persist in your
5 original plea of not guilty to the charge in the indictment.
6 You have the right to a speedy and a public trial by an
7 impartial jury of 12 persons or to a trial by the Court alone
8 if you were to waive or give up your right to a jury trial.

9 At such a trial you'd have the right to the
10 assistance of an attorney. You'd have the right to confront,
11 that is, to see and hear any witnesses sworn against you and
12 to cross-examine them. You'd have the right to remain silent
13 or to testify in your own behalf but you couldn't be
14 compelled to incriminate yourself or to testify at all and
15 your silence couldn't be held against you in any way nor
16 could any inferences of guilt be drawn against you if you
17 decided not to testify.

18 You'd have the right to use the subpoena or
19 other processes of the Court, to compel witnesses to attend
20 the trial and testify and to obtain any documentary or other
21 evidence you might wish to offer in your own defense.

22 Now, if the Court accepts your plea of guilty
23 here this morning, you're going to waive or give up all those
24 rights, there won't be a trial of any kind and the Court will
25 have the same power to sentence you as if you had been found

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1 guilty after a trial on the count to which you're pleading.

2 A few moments ago you told me that the Court
3 appointed Mr. Teresi to represent you and he explained the
4 charge in the indictment to you and that you understood it.
5 Was that true?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Did he also talk to you about the
8 potential sentences or consequences of pleading guilty?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Did he discuss with you your chances of
11 winning or losing at trial, trial strategy and defenses?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: I also want to advise you that your
14 plea of guilty constitutes a waiver or giving up of your
15 right against self-incrimination and I want to warn you not
16 to plead guilty unless you are, in fact, guilty of the charge
17 made against you -- I said information, I meant indictment.
18 charge in the indictment. Do you understand that?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right. Now, your attorney,
21 Mr. Teresi, advised you of your rights?

22 THE DEFENDANT: Yes.

23 THE COURT: Is there anything you'd like to ask me
24 about your rights this morning?

25 THE DEFENDANT: No, sir.

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1 THE COURT: Are you satisfied with what Mr. Teresi
2 has done for you so far?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Has Mr. Teresi or Ms. Suarez or any
5 public official or anyone made any promises to you that you'd
6 be treated leniently in exchange for your plea of guilty?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: What's that?

9 THE DEFENDANT: Oh, no, sir.

10 THE COURT: No promises?

11 THE DEFENDANT: No.

12 THE COURT: No threats, right?

13 THE DEFENDANT: No.

14 THE COURT: All right. So you're pleading guilty
15 freely and voluntarily.

16 Are you currently on probation from any other
17 court or parole from any institution?

18 THE DEFENDANT: No, sir.

19 THE COURT: All right. Madam clerk -- I'm sorry.
20 Will the clerk please read the indictment so we can take the
21 plea.

22 MS. SUAREZ: Your Honor, I'm sorry to interrupt.

23 THE COURT: Go ahead.

24 MS. SUAREZ: Would the Court mind addressing before
25 the defendant enters his plea that we're proceeding by video

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1 today and obtain the parties' consent.

2 THE COURT: That's a good idea. I should have done
3 that in the beginning. I'm getting so used to it this way
4 rather than open court that I forget about that but it's
5 apparent that we're not all together in one open courtroom.
6 I'm here in Binghamton in the courthouse; US Attorney's in
7 her office; the defense counsel is in his office and you,
8 Mr. Suarez, are confined to jail and the stenographer's yet
9 in a different place as is the clerk. We are certainly not
10 all together. We're all in separate places, but it's
11 necessary to proceed by this internet presentation so I can
12 take your plea appropriate, according to the statutes and
13 rules made in such cases and provided.

14 Do you have any problem with proceeding this
15 way instead of being all together in one open courtroom?

16 THE DEFENDANT: No, sir.

17 THE COURT: Mr. Teresi, what about you?

18 MR. TERESI: No objection, Judge.

19 THE COURT: I guess you're okay with it,
20 Ms. Suarez?

21 MS. SUAREZ: That is correct, Judge. I would just
22 add, under General Order 59 and the CARES ACT that the Court
23 find that this case could not be further delayed without
24 serious harm to the interest of justice because the defendant
25 does have pending state cases that may be impacted by further

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1 holding up his federal case. So the parties do see it
2 necessary to proceed by video here in the interest of
3 justice.

4 THE COURT: All right. The Court will so find as
5 stated by Ms. Suarez.

6 MS. SUAREZ: Thank you, your Honor.

7 THE COURT: Madam clerk, please read the charge in
8 the indictment.

9 THE CLERK: Yes, Judge. As to count one, the grand
10 jury charges: On or about February 18, 2020, in Columbia
11 County, in the Northern District of New York, Co-conspirator
12 A, an individual known to the grand jury, knowingly stole the
13 following firearms from a licensed dealer, that is, Zero
14 Tolerance Manufacturing:

15 Manufacturer, Anderson Manufacturing, type
16 AAM-15 Rifle, serial 16350034, caliber/gauge 5.56 caliber.

17 Manufacturer, Ruger, type AR-556 Rifle, serial
18 853-37686, caliber/gauge 5.56 caliber.

19 Manufacturer, Olympic Arms, type CAR-AR Rifle,
20 serial F6196, caliber/gauge .223 caliber.

21 Manufacturer, Aero Precision, type 15 Rifle,
22 serial X059844, caliber/gauge .223 caliber.

23 Manufacturer, SGW, type CAR-AR Rifle, serial
24 Z6142, caliber/gauge .223 caliber and the defendant, Austin
25 Suarez, did knowingly aid and abet Co-conspirator A in the

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1 commission of that offense, in violation of Title 18, United
2 States Code, Sections 924(m) and 2(a).

3 As to count one how does the defendant plead?

4 THE DEFENDANT: Guilty.

5 THE CLERK: Your microphone was on mute. How do
6 you plead?

7 THE DEFENDANT: Guilty.

8 THE CLERK: Do you admit to the forfeiture
9 allegations?

10 THE DEFENDANT: Yes.

11 THE COURT: All right. Ms. Suarez, does the
12 government have sufficient evidence to prove Mr. Suarez
13 guilty beyond a reasonable doubt of the charge in the
14 indictment?

15 MS. SUAREZ: Yes, your Honor.

16 THE COURT: What would you prove if we went to
17 trial.

18 MS. SUAREZ: If we went to trial the government
19 would be required to prove beyond a reasonable doubt, first,
20 that another person knowingly stole firearms; second, the
21 person stole the firearms from a federally licensed dealer;
22 and third, the defendant aided or abetted that person in the
23 commission of that offense, meaning that the defendant, one,
24 knowingly associated himself in some way with that crime and,
25 two, that he participated in the crime by doing some act to

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1 help make the crime succeed.

2 At trial the government would prove each of
3 these elements beyond a reasonable doubt through documentary
4 evidence and witness testimony. The government would show
5 that on February 18, 2020, Zero Tolerance Manufacturing was a
6 federally licensed firearms dealer, FFL number 61401806,
7 operating a retail store at 1131 New York Route 9H in Ghent,
8 New York 12075, in Columbia County, which is in the Northern
9 District of New York.

10 On or about February 18, 2020, the defendant
11 and his co-conspirator agreed that the co-conspirator would
12 break into and steal firearms from Zero Tolerance. The
13 defendant aided the co-conspirator in obtaining a pry bar and
14 two-way radios during the theft of the firearm.

15 On February 18, 2020, while Zero Tolerance was
16 closed and the doors were locked, the defendant drove his
17 co-conspirator to Zero Tolerance and dropped his
18 co-conspirator off at Zero Tolerance knowing that the
19 co-conspirator would break into Zero Tolerance, steal
20 firearms and return to the defendant's car with the stolen
21 firearms.

22 The co-conspirator entered Zero Tolerance by
23 using a pry bar to open a locked exterior door. The
24 co-conspirator took the following AR style rifle firearms
25 from within the store without permission while the defendant

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1 waited outside:

2 One, an Anderson Manufacturing, Model AAM-15,
3 5.56 caliber rifle, bearing serial number 16350034.

4 Two, a Ruger model AR-556, 5.56 rifle, bearing
5 serial number 853-37686.

6 Three, an Olympic Arms, model number CAR-AR,
7 .223 caliber rifle, bearing serial number F6196.

8 Four, an Aero Precision Model 15, .223 caliber
9 rifle, bearing serial number X059844.

10 And five, an SGW, CAR-AR, .223 caliber rifle,
11 bearing serial number Z6142, all of which belonged to
12 Zero Tolerance.

13 The co-conspirator exited Zero Tolerance with
14 the firearms, returned to the defendant's vehicle and they
15 left with the firearms. The defendant knew that the
16 co-conspirator placed the firearms in the defendant's car.
17 I'm sorry, that says co-conspirator's car, I believe that was
18 a typo, it should say the defendant's car, and defendant and
19 co-conspirator took the firearms to another location. The
20 defendant and his co-conspirator knew that they did not have
21 permission to enter Zero Tolerance or remove the firearms.

22 These are the facts that the government would
23 prove at trial.

24 THE COURT: All right. Mr. Suarez, did you hear
25 and understand what Ms. Suarez said about your conduct in

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1 this case?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Is that what you did?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Mr. Teresi, is that your understanding
6 as well?

7 THE CLERK: Your microphone was muted.

8 MR. TERESI: Sorry about that. That's correct,
9 Judge.

10 THE COURT: Okay. I just want to know if you heard
11 what Ms. Suarez said about your client's conduct?

12 MR. TERESI: I did, Judge.

13 THE COURT: And do you agree with her recitation of
14 the facts?

15 MR. TERESI: I do, yes.

16 THE COURT: All right. Ms. Suarez, would you
17 please inform Mr. Suarez and the Court what the maximum or
18 any minimum penalty would be for the count involved.

19 MS. SUAREZ: Yes, your Honor. There is no
20 mandatory minimum penalty. The maximum term of imprisonment
21 is ten years. The maximum fine is \$250,000. In addition to
22 a term of imprisonment, the Court may require the defendant
23 to serve a term of supervised release of up to three years to
24 begin after imprisonment. A violation of the conditions of
25 supervised release during that time may result in a term of

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1 imprisonment of up to two years.

2 There's also forfeiture within the indictment
3 and the plea agreement. And the defendant could face other
4 adverse consequences such as the loss of the right to vote
5 and the loss of the right to bear firearms or certain
6 offices.

7 THE COURT: All right. Mr. Suarez, did you sign
8 your plea agreement in this case?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Did you talk it over with Mr. Teresi
11 before you signed it?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Did he explain it to you?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Did you understand it when you signed
16 it?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Did you sign it voluntarily?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: In your -- well, let me ask you,
21 Mr. Teresi, did you sign on behalf of your client knowingly
22 and voluntarily?

23 MR. TERESI: Yes, Judge.

24 THE COURT: Ms. Suarez, did you sign on behalf the
25 government knowingly and voluntarily?

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1 MS. SUAREZ: Yes, your Honor.

2 THE COURT: All right. In your plea agreement,
3 Mr. Suarez, on page 6 at paragraph 7, you informed the Court
4 that after consultation with Mr. Teresi that both you and he
5 believe it to be in your best interest to waive or give up
6 certain appeal rights in this case and they are as follows:

7 The right to appeal or collaterally attack
8 your conviction resulting from your plea today. The right to
9 appeal or collaterally attack the fact that the statute to
10 which you're pleading guilty is unconstitutional. The right
11 to appeal or collaterally attack any claim that your conduct
12 does not fall within the scope of the statute. The right to
13 appeal or collaterally attack any sentence to a term of
14 imprisonment of 120 months or less. The right to appeal or
15 collaterally attack any sentence to a fine within the maximum
16 permitted by law. And the right to appeal or collaterally
17 attack any sentence of supervised release within the maximum
18 permitted by law.

19 Did you know what you were doing when you
20 agreed to give up those appeal rights?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: And did you do that voluntarily?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: All right. The Court also has to
25 inform you that it's not bound by any sentencing

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1 recommendation contained in the plea agreement and you'll
2 have no right to withdraw your plea of guilty if the Court
3 decides not to accept any non-binding recommendation. The
4 Court will, of course, defer or put off its decision to
5 accept or reject any recommendation until I've seen the
6 Presentence Investigation Report and any other materials that
7 bear on sentencing that are forwarded to me by the government
8 or by Mr. Teresi or by you or anybody on your behalf.

9 THE CLERK: Judge, I'm sorry, I have to
10 interrupt --

11 THE COURT: Do you understand what I said about the
12 Court's ability to accept any non-binding recommendation in
13 the plea agreement?

14 THE CLERK: Judge, this is Angela, I'm sorry I have
15 to interrupt. It looks like Mr. Teresi dropped off the call.
16 Let me see if I can get him to at least call in by phone.

17 THE COURT: Okay.

18 MR. TERESI: This is Greg Teresi, I apologize, my
19 internet cutout.

20 THE COURT: Are you with us now?

21 MR. TERESI: I am, Judge. You were in the process
22 of reviewing the waiver of rights to appeal or collaterally
23 attack. I believe you were on 7C at the time that I cutout.

24 THE COURT: All right. Well, you went over all of
25 those appeal rights with your client, Mr. Suarez, did you

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1 not?

2 MR. TERESI: I did, Judge.

3 THE COURT: All right. He said he understood that
4 you and he agreed that you were waiving or giving up those
5 particular rights to appeal. Do you recall that?

6 MR. TERESI: That's correct, Judge.

7 THE COURT: All right. I was just informed -- the
8 Court's not bound by any sentencing recommendation contained
9 in the plea agreement and you'll have no right to withdraw
10 your plea of guilty if the Court decides not to accept any
11 non-binding recommendation. The Court will, of course, defer
12 or put off its decision to reject or accept any
13 recommendation until I've seen the Presentence Investigation
14 Report and any other materials that bear on sentencing that
15 are forwarded to me by the government or by Mr. Teresi,
16 defense counsel, or by you, Mr. Suarez, or anybody on your
17 behalf.

18 So, do you understand what I just said about
19 the Court's ability to accept or reject any non-binding
20 recommendation contained in the plea agreement?

21 THE DEFENDANT: Yes.

22 THE COURT: Now that you've heard about the
23 potential statute -- woops, you haven't heard about the
24 guidelines yet.

25 How about that, Ms. Suarez, have you done a

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1 guideline calculation.

2 MS. SUAREZ: Yes, your Honor. The sentencing
3 stipulations in the plea agreement, just having them on the
4 record, do reflect that the parties agree that the offense
5 involves firearms resulting in a two-point enhancement in the
6 offense level. The parties disagree as to the application of
7 additional offense characteristics. It's not clear
8 whether -- it's the government's position that the offense
9 involved stolen firearms resulting in a two-point increase.
10 The defense reserves the right to disagree with that.

11 The government also -- the government's
12 position that the offense involved use or possession of any
13 firearm or ammunition in connection with another felony
14 offense resulting in a four point increase under
15 2K2.1(b)(6)(B) and the defendant reserves the right to
16 disagree with that.

17 The government also agrees to make a two-level
18 downward adjustment recommendation for acceptance of
19 responsibility if the defendant complies with the obligations
20 set forth in the plea agreement sentencing stipulations and
21 the government would also move for a one-level downward
22 adjustment to the guidelines that if the defendant abides by
23 the plea agreement and what's required of the sentencing
24 guidelines.

25 Given all that, your Honor, the government did

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1 do an estimated guideline calculation and it's the
2 government's estimate that the guidelines are 120 months
3 given the maximum ten year cap on the term of imprisonment in
4 this case.

5 THE COURT: All right. Mr. Suarez, now that you've
6 heard about the potential statutory sentence and the
7 guidelines, do you still wish to plead guilty?

8 Did you hear me, Mr. Suarez?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Do you still wish to plead guilty?

11 THE DEFENDANT: Yes.

12 THE COURT: And are you pleading guilty because you
13 are guilty?

14 THE DEFENDANT: Yes.

15 THE COURT: All right. Mr. Teresi, please state
16 your background and experience in handling matters of this
17 kind.

18 MR. TERESI: Yes, Judge. I've been admitted to the
19 Northern District of New York for approximately 13 years.
20 I've tried numerous felony and misdemeanor cases before
21 juries, approximately 40 in total. In my 13-year career I've
22 handled thousands of felony and misdemeanor cases. I've
23 spent approximately, I would say, maybe 100 hours working on
24 this case, Judge, both reviewing the evidence with my client
25 and on my own.

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1 THE COURT: All right. Have you had what you
2 believe to be adequate discovery of the government's case?

3 MR. TERESI: Yes, Judge. Discovery in this case
4 was voluminous and the government was forthright in every
5 aspect that I could state.

6 THE COURT: Have you advised Mr. Suarez of his
7 rights, the nature of the charge and the consequences of
8 pleading guilty?

9 MR. TERESI: I have, Judge.

10 THE COURT: Except what's contained in the plea
11 agreement, have you made any promises or threats to induce
12 him to plead guilty?

13 MR. TERESI: No, sir.

14 THE COURT: Are you satisfied that he's pleading
15 guilty freely and voluntarily with an understanding of the
16 charge and the consequences?

17 MR. TERESI: I am.

18 THE COURT: Do you know of any defenses that he has
19 that would prevail if the case went to trial?

20 MR. TERESI: I believe it would be a risk, and I
21 don't believe that my client is prepared to take, and I'm not
22 sure that the defenses would one hundred percent prevail in
23 court.

24 THE COURT: Well you're not sure, but it would be
25 your opinion, based upon the time you spent with Mr. Suarez

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1 and your years of experience, as you are already iterated,
2 that it would be more likely than not that the defenses would
3 not prevail if he were to go to trial?

4 MR. TERESI: That's correct, Judge.

5 THE COURT: All right. Do you know of any reason
6 why he should not plead guilty?

7 MR. TERESI: No, sir.

8 THE COURT: All right. Based on the foregoing the
9 Court will find that Mr. Suarez pled guilty freely and
10 voluntarily; that he is and was competent to enter such a
11 plea; that he understands the charge against him and the
12 consequences of pleading guilty; that there is and was a
13 basis in fact for the Court accepting and entering the plea.

14 The Court will direct the probation department
15 to prepare and submit a Presentence Report.

16 The Court will set sentencing for May 11, 2021
17 at 2 PM in Albany, New York.

18 THE CLERK: Judge, hold on one second. Andrew, can
19 you unmute his microphone, please.

20 THE COURT: Ms. Suarez, is there anything further
21 from the government?

22 MS. SUAREZ: I'm sorry. There's nothing further
23 from the government, your Honor.

24 THE COURT: All right. What about you, Mr. Teresi,
25 anything further from defense?

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1 MR. TERESI: Nothing from defense, Judge.

2 THE COURT: All right. Court stands adjourned in
3 this matter. Thank you all.

4 (Court stands adjourned.)

5

6 CERTIFICATE OF OFFICIAL REPORTER

7

8 I, VICKY A. THELEMAN, Federal Official
9 Realtime Court Reporter, in and for the United
10 States District Court for the Northern District of
11 New York, do hereby certify that pursuant to Section
12 753, Title 28 United States Code that the foregoing
13 is a true and correct transcript of the
14 stenographically reported proceedings held in the
15 above-entitled matter and that the transcript page
16 format is in conformance with the regulations of the
17 Judicial Conference of the United States.

18

19

20 /s/ Vicky A. Theleman

21 VICKY A. THELEMAN, RPR, CRR

22 US District Court - NDNY

23

24

25 Dated: July 9, 2021.

Vicky Ann Theleman, RPR, CRR
USDC Court Reporter